IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 5846 of 2005

Between:

K.L.H.Prasada Rao, S/o. Sundara Rama Rao,Hindu
Department of Telecommunications, I(now B.S.N.L) Guntur,
D.No.26-19-7/B, 2/3 A.T.Agraharam, Guntur.

..... PETITIONER

AND

1 The General Manager, B.S.N.L., Guntur.
2 Sri. G.S.R.K. Prasad D.E.Phones(External) cum
Inquiry Offier, B.S.N.L. ,Kothapet, Guntur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the 1st respondent in issuing the charge sheet memo.No.E-9/Appeals/GMT. GT/JLHP\2000-01/12, dt.12-04-2002 is highly illegal, improper, unjust, arbitrary, vindictive, nonest and bad in law and consequently set-aside, the same and pass such order or orders.

Counsel for the Petitioner: MR.GANDURI NAGESWARA RAO

Counsel for the Respondent No.: SC FOR BSNL

The Court at the admissions stage made the following:

ORDER:

Challenging the charge sheet Memo No.E-9/Appeals/GMT-GT/JLHP/2000-01/12, dated 12.04.2002, issued by the 1st respondent, the present writ petition is filed.

Heard the learned Counsel for the petitioner and the learned standing Counsel for the respondents.

The only grievance of the writ petitioner is that the copies of documents and statements, recorded during the preliminary enquiry, have not been supplied to the petitioner, and therefore, the petitioner cannot be in a position to proceed with the departmental enquiry.

On the other hand, the learned standing Counsel for the respondents contended that copies of documents, sought to be relied on by the department in the departmental enquiry, will be supplied to the petitioner before commencement of trial of the departmental enquiry.

Therefore, without entering into the merits of the case, the respondents are directed to supply copies of documents, which the department intends to use the same in the departmental enquiry, to the petitioner.

The Writ Petition is allowed to the extent as indicated above. No order as to costs.

Dated: 22.03.2005

Dsr

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Note:

Issue operative portion by wire

at party's costs.

B/o

Dsr

ASSISTANT REGISTRAR

To:

1. The General Manager,

Bharat Sanchar Nigam Limited,

Guntur

2. The D.E.Phones (External)-cum-

Inquiry Officer, B.S.N.L,

Kothapet, Guntur

3. Two CD copies

*Form-NIC-OGS/WP{**BJPR**}*